

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOSE DANIEL ORELLANA
JUAREZ,

Petitioner,

v.

ANTONE MONIZ, Superintendent, Plymouth
County Correctional Facility
PATRICIA HYDE, Field Office Director,
TODD LYONS, Acting Director U.S.
Immigrations and Customs Enforcement,
and KRISTI NOEM, U.S. Secretary
of Homeland Security,

Respondents.

C.A. No. 25-11266-MJJ

DECLARATION MARA J. WEISMAN, ESQ.

I, Mara J. Weisman, hereby declare under penalty of perjury that the following statements are based on my personal knowledge and are true and correct to the best of my knowledge:

1. I am an attorney licensed to practice in the Commonwealth of Massachusetts and in the State of New York. The focus of my practice is providing immigration law services to refugees and other immigrants.
2. I was engaged to represent Jose Daniel Orellana Juarez (hereinafter, "Daniel") on May 7, 2025. I have met with Daniel and reviewed records pertaining to his case.
3. Daniel is currently being detained at Plymouth County Correctional Facility.
4. In my investigation to date, I have not located any evidence that Daniel has ever been charged with or convicted of any crime. It appears that he has no criminal record.
5. I attached as exhibits records addressing whether Daniel has been continuously present in the United States for more than two years prior to his arrest on or about May 5, 2025. Certain parts of these records have been redacted to remove dates of birth, financial account numbers, street addresses, and other personal information.
 - a. Attached hereto as Exhibit A is a true and correct copy of a consular identification card issued by the Consulate General of Guatemala, as obtained from Daniel's family. It records that, as of November 2022, Daniel's address was in Framingham, Massachusetts.

- Case 1:25-cv-00001 Document 1-1 Filed 05/09/25 Page 1 of 1
- b. Attached hereto as Exhibit B is a true and correct copy of a document dated May 9, 2025, that was written and signed by the Consul General of the Consulate of Guatemala in Providence, Rhode Island, obtained from the Consulate. The records reflect that, as of 2022, Daniel visited the Consulate in Providence, Rhode Island.
 - c. Attached hereto as Exhibit C is a true and correct copy of certain bank records obtained from Bank of America. The records reflect that, as of February 2023, Daniel had opened a bank account with a United States bank and resided at an address in Framingham, Massachusetts.
 - d. Attached hereto as Exhibit D is a true and correct copy of a document dated March 16, 2023, that was part of Daniel's 2022 Massachusetts resident income tax return, as obtained from Daniel's family.
 - e. Attached hereto as Exhibit E is a true and correct copy of a T-Mobile statement showing that Daniel made a payment to T-Mobile on September 27, 2023, as obtained from Daniel's family. The records reflect that, as of September 2023, Daniel was maintaining a phone in the United States.
 - f. Attached hereto as Exhibit F is a true and correct copy of Daniels' Massachusetts Driver's License, reflecting a date of issue in 2023 and a Massachusetts address, as obtained from Daniel's family.
 - g. Attached hereto as Exhibit G is a true and correct copy of a payment record for Daniel's auto insurance for the policy period January 22, 2024 – January 22, 2025, which lists a Massachusetts address, as obtained from Daniel's family.
 - h. Attached hereto as Exhibit H is a true and correct copy a certificate showing that Daniel completed a course in English for Speakers of Other Languages in Massachusetts in 2024.
- 6. I provided the documents marked as Exhibits A and H to U.S. Immigration and Customs Enforcement ("ICE") on May 7, 2025 by electronic mail. I have not received any response.
 - 7. I was able to obtain the other documents marked as Exhibits B-G on May 8, 2025 and May 9, 2025. I have since provided them to ICE by electronic mail.
 - 8. I have not been provided a copy of Daniel's Expedited Removal order. However, I was shown the order when I visited Daniel on May 7, 2025. Because I was in a detention facility, I did not have any way to photograph or copy the order.
 - 9. I have communicated to ICE that Daniel is afraid to return to Guatemala because of past persecution that he has experienced and due to a fear of future persecution. Daniel is

Case 1:20-cv-11200-MSS Document 11 Filed 05/09/25 Page 6 of 6

eligible to apply for relief, and I requested that he be given the opportunity through a credible fear interview. ICE has not responded to my request.

Executed May 9, 2025.

A handwritten signature in black ink, appearing to read 'Mara J. Weisman', is written over a horizontal line.

Mara J. Weisman